
HOUSE BILL No. 1737

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-18-16-16.

Synopsis: Water authority audits. Requires a water authority to: (1) have an audit annually by a certified public accounting firm; (2) keep the audit report on file; and (3) provide the report to the state board of accounts. Provides that a water authority is not subject to rules of the state board of accounts.

Effective: July 1, 2005.

Robertson

January 19, 2005, read first time and referred to Committee on Local Government.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1737

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 13-18-16-16 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 16. (a) A nonprofit
3 water utility may adopt a resolution approved by its board of directors
4 under this section that reconstitutes the nonprofit water utility as a
5 water authority to be named as provided in the resolution.
6 (b) A resolution adopted under this section must allow:
7 (1) the structure of the board of directors; and
8 (2) the rules governing the water authority;
9 to remain the same as those applicable to the nonprofit water utility.
10 (c) The water authority shall retain all its powers, privileges, rights,
11 and exemptions as a nonprofit water utility under:
12 (1) its existing bylaws and articles; and
13 (2) all laws applicable to nonprofit water utilities and local water
14 corporations, including powers granted under IC 32-24-4-1.
15 (d) A water authority constituted under this section is a political
16 subdivision of the state.
17 (e) A copy of a resolution adopted under this section must be filed

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1 with the secretary of state. When the secretary of state receives a copy
 2 of a resolution under this subsection, the secretary of state shall
 3 dissolve the corporate status of the nonprofit water utility for purposes
 4 of state law.

5 (f) A water authority constituted under this section shall:

6 (1) remain obligated under any existing contracts or agreements;
 7 and

8 (2) remain obligated and assume the indebtedness;
 9 of the nonprofit water utility.

10 (g) Notwithstanding any other law and subject to ~~subsection~~
 11 **subsections (h) and (i)**, a water authority constituted under this section
 12 is subject only to the laws applicable to nonprofit water utilities and
 13 local water corporations.

14 (h) A water authority constituted under this section is subject to
 15 IC 8-1.5-3-8 for purposes of setting rates and charges.

16 **(i) For each fiscal or calendar year that ends after December 31,**
 17 **2005, of a water authority constituted under this section, the water**
 18 **authority:**

19 (1) shall:

20 (A) have an audit of its financial records performed by an
 21 independent certified public accounting firm;

22 (B) keep the audit report on file at the water authority; and

23 (C) provide a copy of the audit report to the state board of
 24 accounts; and

25 (2) is not subject to rules of the state board of accounts.

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